

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION

1:09cv114
[related case 1:07CR69-13]

FILED
ASHEVILLE, N.C.
MAY 21 2009
U.S. DISTRICT COURT
W. DIST. OF N.C.

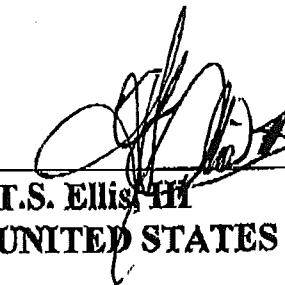
IMRAN ALAM,)
Petitioner,)
Vs.) ORDER
UNITED STATES OF AMERICA,)
Respondent.)

THIS MATTER is before the court upon petitioner's Motion to Vacate, Set Aside or Correct Sentence. Review of the petition and the addendum thereto reveals that petitioner is subject to a deportation hearing on May 26, 2009, the outcome of which may be determined by the conviction challenged herein. Inasmuch as the government has conceded that petitioner received ineffective assistance of counsel, see Government's Response, at 3-6, and that the remedy is to vacate the conviction and sentence, id., at 6, the court will set this matter on for expedited telephonic hearing at 2 p.m. on Friday, May 22, 2009. All counsel of record in this action as well as the underlying criminal action (United States v. Alam, 1:07CR69-13 (W.D.N.C.)) shall attend and by 1 p.m. on such date provide the Clerk of this court with a land-line telephone number at which they can be reached at 2 p.m.

ORDER

IT IS, THEREFORE, ORDERED that petitioner's Motion to Vacate, Set Aside or Correct Sentence (#1) is **CALENDARED** for hearing at 2 p.m. on Friday, May 22, 2009.

May 21, 2009,
Alexandria, VA



T.S. Ellis, III
UNITED STATES DISTRICT JUDGE